

FACT SHEET

When might I be held responsible for someone else's costs?

You will be advised in advance as to the prospect of success of your action and whether it is likely the other party will have to contribute towards your legal costs. You need to bear in mind, however, that if you are unsuccessful or unreasonable you may well have to pay your opponent's costs as well as your own.

When could I expect the other party to pay my costs?

If you are successful in the case and we recover damages, money or property for you, you would expect the other party or parties to pay all your legal costs. However, it is not always as simple as that. Also in some types of family cases e.g. those involving children, awards of costs are uncommon.

In other cases the other party may not be able to afford to pay all your legal costs. Also it almost invariably happens that there are costs we incur in conducting the case for you that we are not able to recover from the other party.

In other words, even if you are successful, it is unlikely that we will be able to recover the full total of our costs from the other party. Although we will do all we can to achieve this for you, inevitably therefore, something will have to be deducted from the money or property recovered for you for legal costs.

It is important to be aware that this firm is employed by you and that you are personally responsible for the payment of our fees, regardless of any order for costs made against your opponent. Even if the other party is ordered to pay your costs, there are circumstances in which you will still have to pay some or all of our fees including, for example :-

- Where the other party does not pay promptly or at all. It is possible for us to help you to recover this debt; we will be pleased to discuss this where appropriate.
- Where the Court orders the other party to pay you less than our full fees leaving a balance which you will need to pay to settle our account.
- Where the other person's contribution cannot be recovered, for example, when they are incapable of paying or are legally aided.
- Also there are cases when although money is recovered for you, we are not able to obtain a Court order for payment of any legal costs such as cases brought in industrial tribunals.

Any money held by us on behalf of you is held in a general account earning interest. We comply with the Law Society's codes concerning payment of interest to clients.